Scrapping of Declaration of Resident Status for Rajya Sabha Elections

4680. SHRI K. RAHMAN KHAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Election Commission has received suggestions from a political party seeking scrapping of declaration of being a regular resident of the State from the prospective candidate of that State in election to Rajya Sabha as such declaration evokes nothing except lies; and

(b) whether the veracity of such statement has even been established by the Election Commission and other agencies responsible for conducting fair and honest elections to the Rajya Sabha?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): (a) Yes, Sir. The Election Commission of India has received a suggestion from the President, Samata Party, for scrapping the rule regarding residental requirement for contesting Rajya Sabha election from a state, and

(b) Yes, Sir. The Election Commission has issued instructions on the subject to check malpractices. Action initiated by certain Electoral Registration Officers in the context of these instructions was challenged before certain High Courts. In one case, the proceedings initiated by the concerned Registration Officer were quashed and Election Commission's appeal to the apex court also did not succeed.

Goal of Judicial reform

4681. SHRI NANA DESHMUKH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware of the news-item captioned "Jethmalani vows to improve judiciary" appearing in The Hindustan Times dated the 30th March, 2000;

(b) whether it is a fact that he has himself set out a target of achieving the goal of judicial reform so as to modify the legal system within a period of two years;

(c) if so, what are Government's specific plans in this regard; and

(d) by when and how Government would clear the backlog of accumulated cases specially in High Courts so as to bring them at par with the Supreme Court?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): (a) Yes, Sir.

(b) It has been the endeavour of both the Government and the Judiciary to achieve the goal of judicial reform as early as possible. A fixation of time frame will provide impetus to the on going judicial reforms.

(c) and (d) Various steps have been taken by the Government for the speedy disposal of both civil and criminal cases. These include amendment to the Civil Procedure Code and the Code of Criminal Procedure, increase in the number of posts of Judges/Judicial Officers, establishment of Special Courts/tribunals, improvement in the standards of Legal education, appointment of Special Judicial/ Metropolitan Magistrates and adoption of alternative modes of dispute resolution, such as, arbitration and conciliation. Lok Adalats have been given a statutory base as supplementary forum for resolution of disputes. Efforts are also being made to secure more funds for setting up of more courts, improvement in the infrastructure of all courts including the District courts and courts subordinate thereto and use of information technology.

The High Courts have been requested by the then Minister of Law, Justice and Company Affairs in August, 1988 to follow the steps taken by the Supreme Court in bringing down the pendencies such as more practical categorisation and grouping of cases, to take up for hearing all the cases listed for the particular day as far as possible, non-accumulation of defective matters, reservation of more and sufficient time slot for old pending cases in chronological order and streamlining of administration and man-power of the registry through computer network. Many High Courts have favourably responded to the above.